

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 88-520-X

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for Volunteer Fire Company pursuant to Section 230.13.

(See front yard variance 20.7 setbacks instead of 27.6 granted via case #88-24-XA) Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/we do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Cowenton Volunteer Fire Co., Inc. (Type or Print Name)

Signature: Charles E. Schulz (Type or Print Name)

Address: 5419 Ebenezer Road, White Marsh, Maryland 21162 (Type or Print Name)

City and State: White Marsh, Maryland 21162 (Type or Print Name)

Signature: Charles E. Schulz (Type or Print Name)

Address: 5419 Ebenezer Road, White Marsh, Maryland 21162 (Type or Print Name)

City and State: White Marsh, Maryland 21162 (Type or Print Name)

Signature: Charles E. Schulz (Type or Print Name)

Address: 5419 Ebenezer Road, White Marsh, Maryland 21162 (Type or Print Name)

City and State: White Marsh, Maryland 21162 (Type or Print Name)

Signature: Charles E. Schulz (Type or Print Name)

Address: 5419 Ebenezer Road, White Marsh, Maryland 21162 (Type or Print Name)

City and State: White Marsh, Maryland 21162 (Type or Print Name)

Signature: Charles E. Schulz (Type or Print Name)

Address: 5419 Ebenezer Road, White Marsh, Maryland 21162 (Type or Print Name)

City and State: White Marsh, Maryland 21162 (Type or Print Name)

Signature: Charles E. Schulz (Type or Print Name)

Address: 5419 Ebenezer Road, White Marsh, Maryland 21162 (Type or Print Name)

City and State: White Marsh, Maryland 21162 (Type or Print Name)

Signature: Charles E. Schulz (Type or Print Name)

Address: 5419 Ebenezer Road, White Marsh, Maryland 21162 (Type or Print Name)

City and State: White Marsh, Maryland 21162 (Type or Print Name)

Signature: Charles E. Schulz (Type or Print Name)

Address: 5419 Ebenezer Road, White Marsh, Maryland 21162 (Type or Print Name)

City and State: White Marsh, Maryland 21162 (Type or Print Name)

Signature: Charles E. Schulz (Type or Print Name)

IN RE: PETITION FOR SPECIAL EXCEPTION S/W Side of Ebenezer Rd., 418' SE of Philadelphia Rd., 11th Election District, 5th Councilmanic District. BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY. Case No. 88-520-X. Cowenton Volunteer Fire Co., Inc. Petitioner.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special exception to use the herein described property for a Volunteer Fire Company pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.).

The Petitioner, by Charles E. Schulz, its President, appeared and testified. Also appearing on behalf of the Petitioner were: Chief Paul H. Reincke, Baltimore County Fire Department; Frank Renard, President, Baltimore County Volunteer Firefighters Association; and Edward S. Tochtermann, Jr., Assistant Executive Officer for the Baltimore County Fire Department. There were no Protestants.

Testimony indicated that the subject property, zoned B.L., has been the site for the Cowenton Volunteer Fire Company, Inc. since 1950 when the existing facilities were built on donated land. The Company has been in existence since approximately 1945. The Petitioner had previously filed a Petition for Special Exception and Zoning Variance in Case No. 86-24-XA to construct an addition to the existing building. Said request was granted by the then Deputy Zoning Commissioner, Joanna M. H. Jung, on August 7, 1985. Thereafter, an appeal was filed by the People's Counsel and subsequently heard by the Board of Appeals which granted the Petitioner's request on February 18, 1986 subject to restrictions set forth in

said Order. The Petitioner testified the issues addressed by People's Counsel in their appeal concerned construction in the flood plain area.

Testimony indicated that the Cowenton Volunteer Fire Company thereafter delayed pursuit of their plans to construct the addition on the subject property due to an offer for donation of land and construction of a new building. Said offer fell through, however, and the Petitioner was required to follow through with its original plans due to the dire necessity for updating the station to meet its present needs. After analyzing the amended site plan approved by the Board of Appeals and costs incurred to build the new addition, the Petitioner decided it would be cost prohibitive as the addition would not meet the long-term needs of the Fire Company. Consequently, the Petitioner readressed the issues raised by the Appellant in the prior case concerning construction in a flood plain area and prepared a new, modified plan. Mr. Schulz testified that the revised site plan, identified herein as Petitioner's Exhibit 1, has been reviewed by the appropriate agencies in Baltimore County and the State and has been found to be acceptable. To support his position, Mr. Schulz introduced as Petitioner's Exhibits 2A through 4 letters documenting the approval of the Baltimore County Department of Public Works and the State of Maryland Department of Natural Resources (DNR), Water Resources Administration. He further testified that pursuant to the requirements of the DNR, notice of the proposed construction was provided to all adjoining property owners prior to its issuance of the permit dated April 27, 1985, identified herein as Petitioner's Exhibit 4.

Testimony indicated that the purpose for the addition to the fire house is to enable the Petitioner to house the new and larger fire equipment, which is inaccessible to the property due to the physical limit-

- 2 -

tations of the existing facility. Testimony by Chief Reincke indicated that the proposed improvements to the subject property are mandatory in order to insure the health, safety and welfare of the surrounding community. He introduced as Petitioner's Exhibit 5 a copy of a map indicating the geographical area in which the Cowenton Volunteer Fire Company is "first due on a first alarm." Additionally, he introduced as Petitioner's Exhibit 6 the monthly and yearly statistics for both the career and volunteer fire stations. In the year ending December 31, 1987, the Petitioner responded to 622 fire calls and 444 medic calls. Chief Reincke's testimony further indicated that the nearest career stations are already overburdened. He further indicated that due to growth plans for the White Marsh area the need for the Cowenton Volunteer Fire Company will continue to expand year after year.

Mr. Renard testified that there are currently 33 volunteer fire companies that are invaluable in assisting the 22 career fire stations in Baltimore County. He testified that the proposed improvements are necessary to meet the needs of the community.

Chief Reincke and Mr. Schulz addressed the conditions delineated in Section 502.1 of the B.C.Z.R. and testified that in their professional opinion, all requirements of said Section are satisfied. Chief Reincke emphasized that the requested special exception is essential to insure that the health, safety and welfare needs of the community are met with respect to adequate coverage for fire and medical response.

The Petitioner seeks relief from Section 230.13, pursuant to Section 502.1 of the B.C.Z.R.

It is clear that the B.C.Z.R. permits the use proposed in a B.L. zone by special exception. It is equally clear that the proposed use

- 3 -

would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 8th day of June, 1988 that a special exception for a volunteer fire company in accordance with Petitioner's Exhibit 1 be

approved, and as such, the Petition for Special Exception is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, the Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2) Pursuant to Section 502.1, the Petitioner shall have five (5) years from the date of this Order in which to utilize the special exception granted herein.
- 3) Petitioner shall comply with all requirements of the Department of Environmental Protection and Resource Management as set forth in their comments dated May 16, 1988 attached hereto and made a part hereof.
- 4) Prior to the Office of Zoning signing off on any permit, the permit shall be approved and signed by the Department of Public Works and the Health Department.

ANN:bjj
ANN M. NASTARWICZ
Deputy Zoning Commissioner
for Baltimore County

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER S/W Side of Ebenezer Rd., 418' SE of Philadelphia Rd., 11th Election District, 5th Councilmanic District. OF BALTIMORE COUNTY. COWENTON VOLUNTEER FIRE CO., INC., Petitioner. Case No. 88-520-X.

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

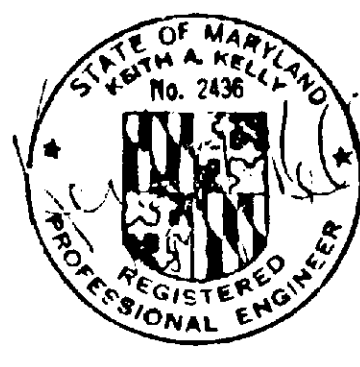
Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
444-2188

I HEREBY CERTIFY that on this 25th day of May, 1988, a copy of the foregoing Entry of Appearance was mailed to Cowenton Volunteer Fire Co., Inc., Charles E. Schulz, President, 5419 Ebenezer Rd., White Marsh, MD 21162, Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

COWENTON VOLUNTEER FIRE DEPARTMENT PROPERTY DESCRIPTION

Beginning for same at a point determined on the southwest side of Ebenezer Road, 418' southeast of Q of Philadelphia Road and running thence S 31° 21' 39" E, 185.46 feet; thence S 54° 35' 20" W, 348.50 feet; thence N 31° 29' 39" W, 100.25 feet; thence N 54° 35' 20" E, 245.57 feet; thence N 35° 24' 40" W, 85.00 feet; and N 54° 35' 20" E, 123.10 feet to the point of beginning.



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner
Date: May 25, 1988

FROM: P. David Fields, Director
Office of Planning and Zoning

SUBJECT: Zoning Petition #89-520-X

This office is not opposed to the granting of this request.

P. David Fields per J. Haines
P. David Fields, Director
Office of Planning and Zoning

PDF/jat
cc: Shirley Hess, People's Counsel
J. O. Howell
Zoning File

RECEIVED
MAY 26 1988

ZONING OFFICE

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 17, 1988

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. Charles E. Schultz
President
1007 Stirrup Run Drive
Jarrettsville, Maryland 21084

RE: Item No. 401 - Case No. 88-520-X
Petitioner: Cowenton Volunteer Fire Co., Inc.
Petition for Special Exception

Dear Mr. Schultz:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
Chairman
Zoning Plans Advisory Committee

JED:dt

Enclosures

cc: Carroll Engineering Inc.
201 Padonia Road West
Timonium, Maryland 21093

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reinke
Chief

May 18, 1988

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Re: Property Owner: Cowenton Volunteer Fire Co., Inc.

Location: S/W side of Ebenezer Rd., 418' S/E of c/l of Philadelphia Road.

Item No.: 401

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: [Signature] Noted and
Approved: [Signature]
Special Inspection Division

/s/

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 401, Zoning Advisory Committee Meeting of May 19, 1988

Property Owner: Cowenton Volunteer Fire Co., Inc.
Location: S/W side of Ebenezer Rd. at Philadelphia Rd. District 11

Water Supply: [Signature] Sewage Disposal: private

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- () Prior to new installation of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 494-2775, to obtain requirements for such installation before work begins.
- () A permit to construct from the Bureau of Air Quality Management is required for such items as spray paint processes, underground gasoline storage tanks (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Bureau of Air Quality Management is required for any chattrail operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Health and Mental Hygiene Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Recreational Hygiene Section, Bureau of Regional Community Services, 494-3811.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
- (X) Prior to siting of existing structure/s, petitioner must contact the Division of Waste Management. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 494-2775. Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 494-3748.
- () Soil percolation tests, have been _____, must be _____ conducted.
- () The results are valid until _____.
- () Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test () shall be valid until _____.
- () In not acceptable and must be repeated. This must be accomplished prior to conveyance of property and approval of Building Permit Application.
- () Prior to occupancy approval of Building Permit Application, the petibility of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.

Other Existing septic tank must have manhole cover accessible from front yard and a reinforced concrete pad must be placed over the tank that will accommodate anticipated vehicular loadings.

Karen M. Murray
BUREAU OF WATER QUALITY AND RESOURCE MANAGEMENT

COWENTON VOLUNTEER FIRE CO., INC.

5419 EBENEZER RD.
WHITE MARSH, MARYLAND 21162
494-3333

8 April, 1988

Mr. J. Robert Haines
Baltimore County Zoning Commissioner
Office of Planning and Zoning
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Building Permit No. C-243-88
Zoning File 88-243A
Cowenton Volunteer Fire Co., Inc. Building Renovation

Dear Mr. Haines:

We recently received correspondence from Mr. W. Carl Richards, Jr., stating that the zoning office would not approve our request for a building permit. The reasons given were:

1. Failure to comply with the Board of Appeals order.
2. Failure to pursue our project with Reasonable Diligence, hence invalidating the Special Exception granted to allow a firehouse to be where a firehouse is.

We feel that our project requires special consideration in light of the history behind it. I have made numerous attempts to contact Mr. Richards to discuss the issues, but he has failed to return my calls. Consequently, I am appealing directly to you.

Our present facility is inadequate to support the continued operations of our Company. We presently have four vehicle storage bays, but operate five pieces of equipment. Hence, one piece must constantly sit outside the building. We operate two fire engines, one is a 1970 and the other is a 1974. Because of the age of these vehicles, we spend in excess of \$23,000 a year in maintenance costs to keep them in service. By all rights, they should be replaced, but this is impossible until we construct a new building.

When parked in the bays, our engines have one inch vertical clearance and three inches of horizontal clearance. Modern day fire engines simply will not fit into our station. In addition, there are no engines left in the County's reserve fleet which will fit into our building. This is critical because we rely on repairs. The County will not loan us an engine unless we can properly house the vehicle, consequently we are ineligible for reserve engines until we expand our building. This means that

Baltimore County
Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner

Mr. Charles Schultz
Cowenton Volunteer Fire Co.
5419 Ebenezer Road
White Marsh, Maryland 21162

March 11, 1988

RE: Building Permit No. C-243-88
5419 Ebenezer Road
11th. Elect. Dist.
494-3333

Dear Mr. Schultz,

The Zoning Office cannot approve the above referenced building permit application for the following reason(s):

- Improper setbacks
- Improper use
- Improper location
- Inspection of the property must be made
- Insufficient information on permit
- Revised Plans (9 copies) must be submitted to the counter in Room 100, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland. All plans must be accompanied by a cover letter listing the revisions and referencing the permit and control number. Revised plans must be submitted in person.
- X Other (The proposed addition and improvements are in violation of the B. of A. order. "see site plan". Also, The Special exception was not utilized within the 2 years required by S. 502.3 (B.C.T.P.). The permit was filed 6 days before the expiration date. Set Reasonable Diligence standard in zoning cases # 84-69 and 85-65.)

If you have any further questions, you may contact me at 494-3391.

Very truly yours,

W. Carl Richards, Jr.
Zoning Coordinator

cc: Zoning File
Planning File

Baltimore County
Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner

June 8, 1988

Mr. Charles E. Schultz, President
Cowenton Volunteer Fire Company, Inc.
1007 Stirrup Run Drive
Jarrettsville, Maryland 21084

RE: PETITION FOR SPECIAL EXCEPTION
SW/S Ebenezer Road, 418' SE of Philadelphia Road
(5419 Ebenezer Road)
11th Election District; 5th Councilmanic District
Cowenton Volunteer Fire Company, Inc. - Petitioner
Case No. 88-520-X

Dear Mr. Schultz:

Enclosed please find the decision rendered on the above-referenced case. The Petition for Special Exception has been granted subject to the restrictions noted in the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 494-3391.

Very truly yours,

Ann M. Nastarowicz
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs
Enclosure
cc: Chief Paul H. Reinke and
Mr. Edward S. Tschertman, Jr.
Baltimore County Fire Department

Mr. Frank Renard, President
Baltimore County Volunteer Firefighters Association
1 Sunup Court, Reisterstown, Md. 21136

People's Counsel
File

BALTIMORE COUNTY, MARYLAND
Inter-Office Correspondence

TO: Robert M. Infussi
Executive Sec./Chief of Staff

FROM: Ann M. Nastarowicz
Deputy Zoning Commissioner

DATE: June 8, 1988

SUBJECT: Petition for Special Exception
SW/S Ebenezer Road, 418' SE of Philadelphia Road
(5419 Ebenezer Road)
11th Election District; 5th Councilmanic District
Cowenton Volunteer Fire Co., Inc. - Petitioner
Case No. 88-520-X

As a result of the hearing held on June 7, 1988, enclosed please find a copy of the order issued in the above-captioned matter. If you have any questions on the subject, please do not hesitate to call me.

AMN:bjs
cc: Case File

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

September 9, 1986

Mr. Randy Harrill, Chief
Waterway Permits Division
Water Resources Administration
Tawes State Office Building
Annapolis, Maryland 21401

Reference: Honeygo Run Floodplain
Cowenton Volunteer Fire Company

Dear Mr. Harrill:

As discussed in our telephone conversation of September 8, 1986, I am writing concerning the expansion of the Cowenton Fire Station. While the subject project will be a private activity, we are assisting the Fire Company due to their long history of serving the public in a voluntary capacity.

The Cowenton Volunteer Fire Company is faced with the prospect of being unable to house the newer and larger fire equipment due to the physical limitations of their present facility. They are therefore proposing to expand their present facility by adding a 46' x 80' addition. This building will be a drive thru facility necessitating a ramp for access at the rear, which will require filling of the floodplain as shown on the attached drawings.

The first of these drawings was supplied by the Fire Company and shows the proposed addition and the ramp. The elevations shown do not agree with the County survey sheets for this area, which we feel are more precise. We have, therefore, added the proposed building addition to the County survey sheets along with what we feel is the effective flow area.

I am requesting that you review this information and provide me with an opinion as to the acceptability of the proposed work. If you feel the work is acceptable, I would appreciate your decision as to the form and supporting information you will require for a formal permit application.

Sincerely,

JOHN D. MAPLE
Storm Drain Design & Approval Section

JDM:eml
Attachments
cc: File



STATE OF MARYLAND
DEPARTMENT OF NATURAL RESOURCES
WATER RESOURCES ADMINISTRATION
TAWES STATE OFFICE BUILDING
ANNAPOLIS, MARYLAND 21401

September 15, 1986

Mr. John Maple
Storm Drain Design and Approval Section
Baltimore County Department of Public Works
County Office Building
111 W. Chesapeake Avenue
Towson, MD 21204

Re: Honeygo Run Floodplain
Cowenton Volunteer Fire Company
WRA No. 87-PP-0248

Dear Mr. Maple:

I have reviewed the information submitted regarding the referenced project and concur that the proposed access ramp will be in an ineffective flow area of Honeygo Run. There will, therefore, be no hydrologic or hydraulic submission required for this project.

Please provide a formal application form as well as approved sediment control plans for the project at your convenience.

Feel free to call with any questions you may have regarding this letter.

Sincerely,

Randy L. Harrill
Chief, Waterway Permits Division

RLH:das

PETITIONER'S
EXHIBIT 2 B

Telephone (301) 269-2265

TTY FOR DEAF: BALTIMORE 269-2265 WASH. DC 202-269-0450



BALTIMORE COUNTY
ADMINISTRATIVE OFFICE
TOWSON, MARYLAND 21204
494-2400

D. MELVIN COLE
ADMINISTRATIVE OFFICER

September 26, 1986

Mr. Charles E. Kountz
2201 Hammonds Ferry Road
Baltimore, Maryland 21227-1797

Ref: Cowenton Volunteer Fire Co.
Proposed Building Addition

Dear Mr. Kountz:

I am writing in response to your letter of September 8, 1986 concerning the referenced subject.

The Bureau of Engineering has fully reviewed the work proposed and has determined that it can be allowed without an adverse impact on the floodplain. After making this determination the Water Resources Administration was contacted resulting in their tentative approval of the proposed actions.

With regards to the Federal Insurance Administration, the proposed action is fully within the regulations of the FIA and will not require their approval or impact our eligibility.

It appears that the Cowenton Volunteer Fire Company must complete the following to satisfy the storm water regulations of the State and County.

- 1.) Prepare a site plan and obtain Sediment Control approval from the Soil Conservation District.
- 2.) Prepare a construction drawing for the relocation of the Public Storm Drain.
- 3.) Submit the attached WRA permit application in accordance with WRA regulations.
- 4.) Submit to Baltimore County a building permit application.

PETITIONER'S
EXHIBIT 3

We would recommend that the attached correspondence between Baltimore County and WRA be attached to your application to the WRA. I would suggest that you provide the Bureau of Engineering with a copy of your application to review or if you desire a meeting with the Bureau would be advantageous.

In either case I would suggest you co-ordinate your project with Mr. Childress or John Maple.

Very truly yours,

D. MELVIN COLE
Administrative Officer

BMC:JDM:rbh
Attachments
cc: John Maple



Maryland Department of Natural Resources

Water Resources Administration
Tawes State Office Building
Annapolis, Maryland 21401
Telephone: (301) 274-2265

William Donald Schaefer
Governor

Torrey C. Brown, M.D.
Secretary
James W. Dunayer
Deputy

April 27, 1988

Cowenton Volunteer Fire Co., Inc.
5419 Ebenezer Road
White Marsh, MD 21162

Attn: Charles E. Schulz
President

Gentlemen:

The Administration has completed the review of your application for a permit to change the course, current, or cross-section of Honeygo Run by expanding the existing structure, filling and paving the surrounding area. The project is located at 5419 Ebenezer Road, White Marsh, Baltimore County, Maryland.

As a result of the review, the Administration intends to issue Waterway Construction Permit No. 87-WC-0248.

Enclosed please find the approved permit with its conditions and time restrictions. Please note that prior to commencing construction activities, you are required to notify the WRA Enforcement Division. The attached postcard is for this use.

Sincerely,

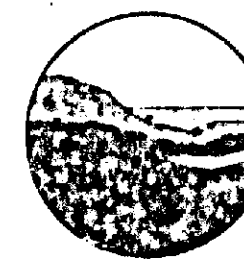
Stan Wong
Chief, Waterway Permits Division

SW:das

Attachment

PETITIONER'S
EXHIBIT 4

DNR TTY for Deaf: 301-974-3683



Maryland Department of Natural Resources

Water Resources Administration
Tawes State Office Building
Annapolis, Maryland 21401
Telephone: (301) 274-2265

William Donald Schaefer
Governor

Torrey C. Brown, M.D.
Secretary
James W. Dunayer
Deputy

WATERWAY CONSTRUCTION PERMIT NO.

EFFECTIVE DATE OF PERMIT

87-WC-0248

April 27, 1988

PERMIT FOR CONSTRUCTION IN A WATERWAY

IN COMPLIANCE WITH SUBTITLE 8, NATURAL RESOURCES ARTICLE, ANNOTATED CODE OF MARYLAND, PERMISSION IS HEREBY GRANTED: Cowenton Volunteer Fire Co., Inc., 5419 Ebenezer Road, White Marsh, MD 21162
Attn: Charles E. Schulz, President
HEREINAFTER REFERRED TO AS PERMITTEE, TO CHANGE THE COURSE, CURRENT, OR CROSS-SECTION OF Honeygo Run by expanding the existing structure, filling and paving the surrounding area. The project is located at 5419 Ebenezer Road, White Marsh, Baltimore County, Maryland.
Maryland Grid Coordinates: N 364 - E 0961
AS SHOWN ON PLANS DATED January 1988 AND PREPARED BY Carroll Engineering, Inc.

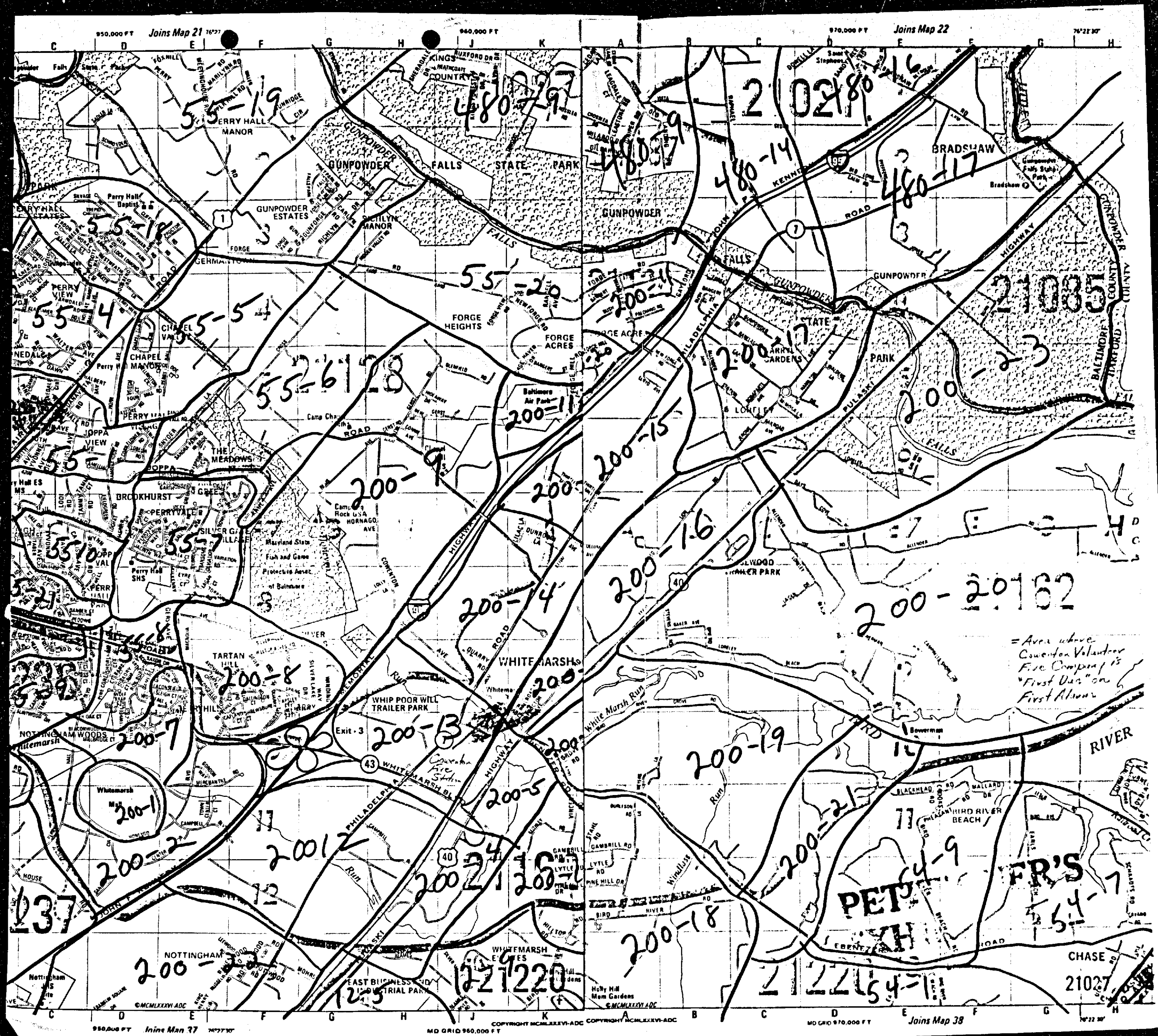
Stan Wong
Chief, Waterway Permits Division

This PERMIT is granted subject to the following conditions:

1. Permit is valid only for use by the Permittee. Written permission for transfer of the Permit must be obtained from the Water Resources Administration (WRA).
2. This Permit shall become null and void if the construction authorized herein has not begun within two (2) years from the granting of this Permit. If the construction authorized herein has not been completed within five (5) years from the granting of this Permit, approvals contained herein shall become null and void except that these limits may be extended at the discretion of the Administration.
3. Permit is subject to all laws and regulations now in effect. It may be revoked if it violates laws of the State or appropriate subdivision. Construction shall comply with Permit terms. The location, dimensions, all structures, excavation or filling shall be in accordance with plans approved by the WRA. A copy of the approved plan and Permit shall be available at the construction site for reference during the construction period. The Permittee must obtain written approval from WRA for any plan changes; deviations from the construction authorized herein without prior approval may result in Permit revocation.

DNR TTY for Deaf: 301-974-3683

4. Permittee shall obtain approval from the Baltimore County Soil Conservation District for a grading and sediment control plan specifying soil erosion control measures required for construction. The approved plan shall be included in the contract specifications for construction, with a copy maintained at the construction site for reference during the construction period. Permittee has full responsibility for the implementation of the plan by the construction organization.
5. Waterway banks and bed shall be disturbed as little as possible. Disturbed areas shall be restored and planted no later than 7 days after construction is completed. Should construction be interrupted or delayed for more than 14 days, the Permittee, as directed by WRA, shall provide temporary measures to prevent soil erosion during that period. All sediment and erosion control practices during construction shall be in accordance with the Maryland Standards and Specifications for Erosion and Sediment Control.
6. Spoil material/debris shall be disposed of outside the floodplain. Any temporary excavation or filling within the stream channel or floodplain shall be restored to the elevation existing prior to construction unless WRA requires otherwise.
7. Discharging of untreated sediment bearing waters is strictly prohibited.
8. Motor driven construction equipment shall not be allowed within the stream channels without prior written approval from WRA.
9. Blasting/explosives in the stream channel are not permitted unless written authorization is obtained from the Department of Natural Resources, Tidewater Administration, Tawes State Office Building, Annapolis, Maryland 21401 with a copy sent to WRA.
10. Permittee shall be responsible for maintenance of the construction site upon completion of the project. Such maintenance requires that a separate application be submitted to WRA. Any undercutting, meandering or degrading of the channel or banks and any deposition of material resulting from the construction must be corrected by the Permittee as directed by WRA.
11. Permittee shall notify the WRA Enforcement Division at least five days prior to initiation of the project and five days after work ends. For Allegany and Garrett Counties the Permittee should call (301) 777-2390 and for all other counties, the Annapolis office at (301) 974-2641.



88-520-1

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

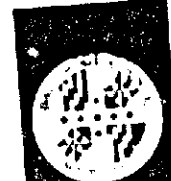
Your petition has been received and accepted for filing this
4th day of May, 1984.

J. Robert Haynes
J. ROBERT HAYNES
ZONING COMMISSIONER

Covington Volunteer
Petitioner Fire Co., Inc.
Petitioner's Attorney


Received by: James E. Dyer
Chairman, Zoning Plans
Advisory Committee

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204

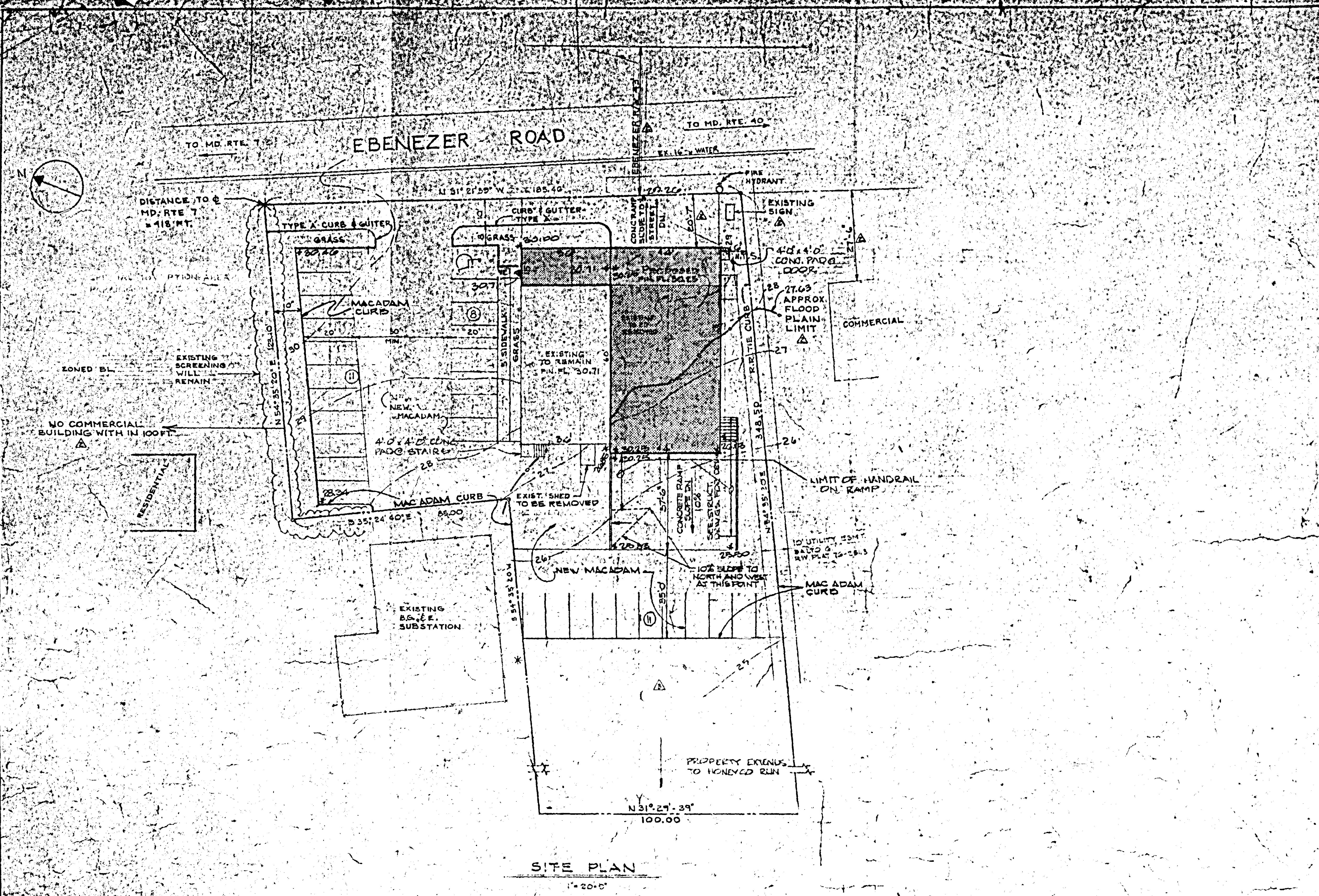


Mr. Charles E. Schultz
President
1007 Stirrup Run Drive
Jarrettsville, Maryland 21084

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204



Carroll Engineering Inc.
201 Padonia Road West
Timonium, Maryland 21093

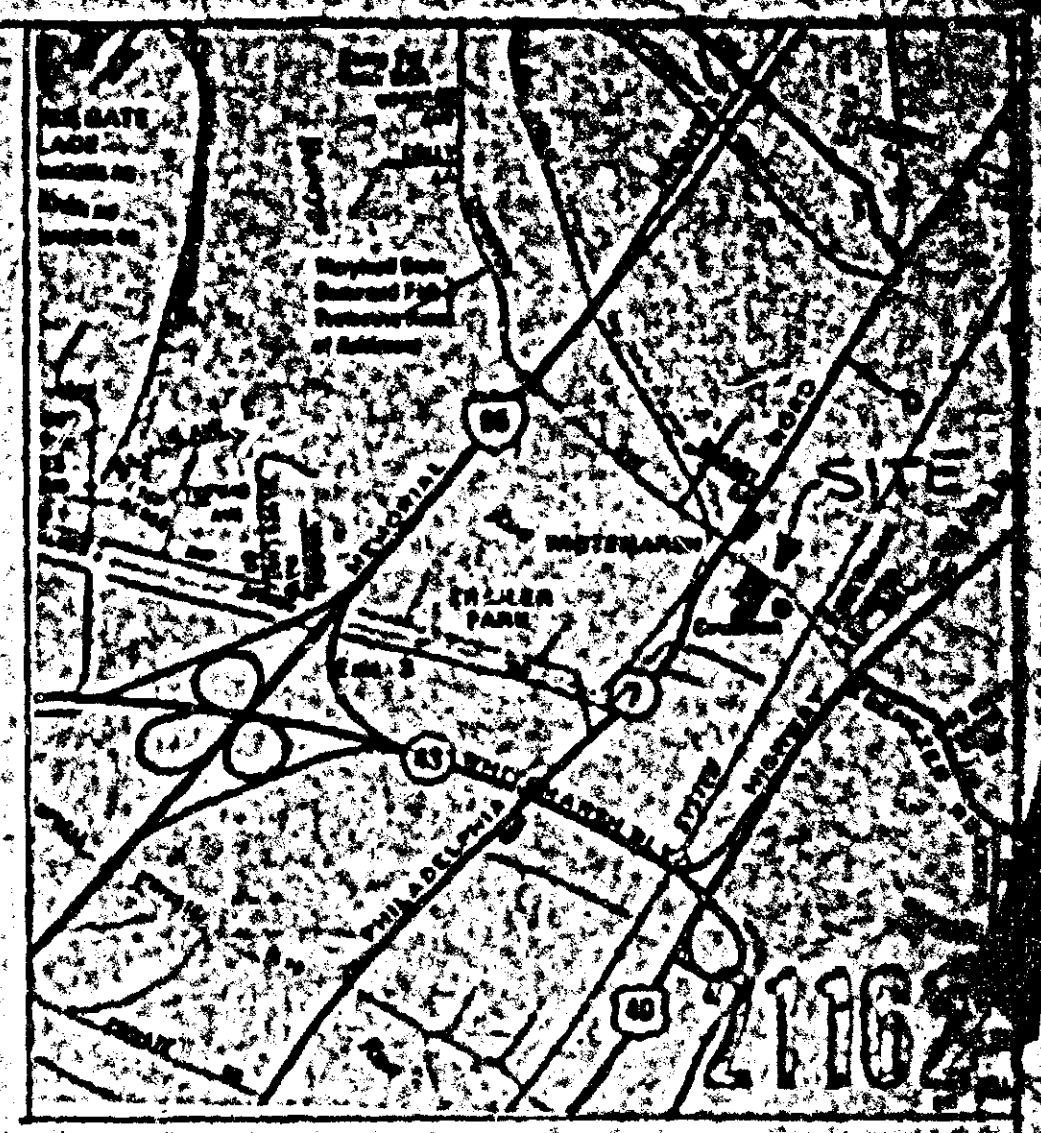


SITE PLAN
1" = 20'-0"

PARKING DATA

PARKING REQUIRED	
REAR BAYS - 3520/500	
LIVING AREA - 2100/500	
OFFICE (2nd floor) - 2100/500	
PARKING PROVIDED	
30 SPACES (INCL. 1 HANDICAPPED)	

$$\frac{11.73}{26.13} = 0.45$$



LEGEND
* 50' E LIGHT POLE

- NOTES**
1. AREA: 2.2 ACRES. PROPERTY ZONED: BL. 11TH ELECTION DISTRICT. EXISTING TOPOGRAPHY TO REMAIN AS IS.
 2. NO CHANGE IS PROPOSED TO EXISTING GRADES.
 3. SEE MECHANICAL PLAN FOR UTILITY CONNECTIONS.

SPECIAL EXCEPTION REQUEST
ENTIRE FACILITY TO BE IN ZONE 'BL.'

PETITIONER'S EXHIBIT 1

REV. 1-18-87 REV. 4-16-87 REV. 10-24-88 REV. 7/15/89 REV. 1/8/87 REV. 11-25-87 REV. 11-25-87	COWENTON VOLUNTEER FIRE CO. COWENTON AVENUE BALTIMORE 22, MD.	CARROLL ENGINEERING INC. 301 PADONIA RD. WEST, THUNDERBOLT, MD. 21093 / (301) 722-4511
STATE OF MARYLAND DEPARTMENT OF TRANSPORTATION DIVISION OF HIGHWAYS	SITE PLAN	
JAN. 3, 1989	2-1-011	M.G.O.
J.A.C.	C.A.S.	354